

COMMISSION ON TEACHER CREDENTIALING

Box 944270

Sacramento, California 94244-2700

(916) 445-7254



OFFICE OF THE EXECUTIVE DIRECTOR

94-9414

August 15, 1994

TO: County and District Superintendents of Schools, Personnel Directors, and Credential Analysts; Non-Public School Directors

FROM: Philip A. Fitch, Executive Director

SUBJECT: Emergency Permit Declarations of Need for Fully Qualified Educators

There has been some confusion about the implementation of the new annual *Declaration of Need for Fully Qualified Educators*. (See also coded correspondence 94-9410) Following a number of workshops, discussions with employing agencies both public and non-public, and the receipt of more than three hundred Declarations of Need, we would like to offer the clarifications outlined below.

First, each school district, county office of education, state-wide agency, and non-public school or agency that wishes to employ individuals on emergency permits beginning 7/1/94 must have a Declaration of Need on file with the Commission before we will be able to issue any emergency permits for service in your district, county, agency or school. Non-public schools that have not already submitted a Declaration of Need either to the Commission or to the county or district in which they are located, will send those Declarations of Need directly to the Commission as explained below.

A revised Declaration of Need form is attached. It provides school districts and county offices of education with a place to identify the non-public schools in which they place students. If you will be preparing a Declaration of Need in the future, please use the revised form.

PUBLIC SCHOOL DISTRICTS

The Declaration of Need for Fully Qualified Educators, in its entirety, must be presented to the governing board at a regularly scheduled public meeting of that board. It may NOT be presented as part of a consent calendar; the board and the public must have the opportunity to see the number of emergency permits the district reasonably expects to request in each category and to understand the reasons for such requests. The governing board must vote to approve the Declaration. *The Declaration does not need to include emergency permit holders who will be serving in non-public schools with which the district contracts for student placement.*

Once the Declaration has been approved by the board, the cover page must be completed. It may be completed by any individual whom the board or superintendent designates, including the superintendent, the board's secretary, the personnel director, or the credentials supervisor. The form for the Declaration of Need distributed in coded correspondence 94-9410 (CL500 4/94) does not require a signature. We would appreciate it, however, if the person completing the form would sign on the line beside his or her name. We have enclosed an updated version of the form (CL500 7/94) for your use if you have not already submitted your Declaration of Need.

The 4/94 version of the form requests that a copy of the agenda item that was sent to the board be attached to the Declaration. We would also like to have a copy of the minutes (an excerpt is fine) showing that the item was approved.

Send the completed Declaration of Need, board agenda item/minutes, and any supporting material that was presented to the board to the attention of Julie Lee at the Commission office. Ms. Lee checks the Declarations for completeness and enters the data into the computer. She will call if there are any questions.

Discuss with your County Office of Education whether they wish to have a copy of your Declaration of Need sent to them and whether they want applications for emergency permits submitted through them. The issuance of Temporary County Certificates and pay checks may depend on the answer.

COUNTY OFFICES OF EDUCATION

The County Superintendent of Schools must make a public announcement that he or she will be adopting a Declaration of Need at least 72 hours prior to submitting the Declaration to the Commission. That announcement may be made before the governing board or in the newspaper or posted, as appropriate to the county. *Declarations of Need completed by county superintendents do not need to include emergency permit holders who will be serving in non-public schools with which the county contracts for student placement.*

Send the complete, signed Declaration, along with verification of the announcement, to the attention of Julie Lee at the Commission office. Ms. Lee checks the Declarations for completeness and enters the data into the computer. She will call if there are any questions.

STATE-WIDE AGENCIES

The Director of the state-wide agency, such as the California Youth Authority or California Department of Corrections, must make a public announcement that he or she will be adopting a Declaration of Need at least 72 hours prior to submitting the Declaration to the Commission. The announcement must be made as appropriate to the agency.

Send the complete, signed Declaration, along with verification of the announcement, to the attention of Julie Lee at the Commission office. Ms. Lee checks the Declarations for completeness and enters the data into the computer. She will call if there are any questions.

NON-PUBLIC SCHOOLS AND NON-PUBLIC AGENCIES

Non-public schools and agencies (NPS/NPA) are not specifically addressed in the current regulations. At the workshops that Commission staff presented in April, we asked that NPS/NPAs continue to submit their applications through their respective county offices of education. This is not working. NPS/NPAs serve students from a number of districts and counties, not necessarily the ones in which they are located. *Therefore, effective immediately, each non-public school and non-public agency that has not already made arrangements with a county or district, should submit its own Declaration of Need for Fully Qualified Educators directly to the Commission.*

The Director of the NPS/NPA should follow the directions on the cover page of the revised Declaration of Need form that is attached, making a public announcement that he or she will be adopting a Declaration of Need at least 72 hours prior to submitting the Declaration to the Commission. The announcement must be shared with the school districts and county offices of education that enroll students in the NPS/NPA.

Send the complete, signed Declaration, along with verification of the announcement, to the attention of Julie Lee at the Commission office. Ms. Lee checks the Declarations for completeness and enters the data into the computer. She will call if there are any questions.

The emergency permit document must, by regulation, be issued with a restriction. The restriction on your documents will identify the county in which the NPS/NPA is located: "Restricted to service in a non-public school or agency located in Xxxx County". The county office of education will receive a copy of the document. If you have submitted applications for emergency credential through the county office in the past, you may wish to discuss with them continuing that practice.

REVISED DECLARATIONS

If an employing agency finds that it needs to hire more individuals on emergency permits than indicated on the Declaration of Need, the agency may submit a revised Declaration to the Commission, following the same procedure that was followed for the initial Declaration.

RECONCILIATION AT YEAR END

In late spring 1995, the Commission will develop a report on the number of emergency permits issued to each employing agency and will compare that report to the Declarations of Need that were submitted. We will notify specifically those whose estimates were considerably inaccurate.

SUBMITTING APPLICATIONS

Applications for emergency permits must be submitted through the employing agency. The Commission will not accept an application for an emergency permit submitted directly by an applicant. The employing agency must "file date" the application by stamping or writing its name and the date that application was accepted in the box in the upper right corner of the yellow 41-4 application form. The signature or initials of the individual accepting the application must also appear in the box. See page I-C-37 of the Credential Handbook for more information.

Because employers no longer have to submit a statement of need with each application, it is critical that the application identify the employing agency clearly so that the restriction on the document will be accurate. For that purpose, we have included a box in Section 1 of the application. County offices and school districts need only write their CDS codes in the box. Applications submitted by a county will include only the county code:

County/District Use Only: Use for Emergency Permit	
CDS Code:	<u>34</u>
<input type="checkbox"/> NPS	(County and district codes only; do not include school code)

Applications submitted by a school district will include both the district code and the county code:

County/District Use Only: Use for Emergency Permit	
CDS Code:	<u>19 - 64733</u>
<input type="checkbox"/> NPS	(County and district codes only; do not include school code)

Applications submitted by a state-wide agency need to identify the agency by name rather than code:

County/District Use Only: Use for Emergency Permit	
CDS Code:	<u>California Youth Authority</u>
<input type="checkbox"/> NPS	(County and district codes only; do not include school code)

Applications submitted by non-public schools and agencies need to identify the county and check the box for NPS:

County/District Use Only: Use for Emergency Permit	
CDS Code:	<u>33 - (Riverside)</u>
<input checked="" type="checkbox"/> NPS	(County and district codes only; do not include school code)

THE REGULATIONS

80026. Declaration of Need for Fully Qualified Educators.

Submission of a Declaration of Need for Fully Qualified Educators by the employing agency shall be a prerequisite to the issuance of any emergency permit for that agency. The Declaration of Need for Fully Qualified Educators by an employing agency shall be valid for no more than twelve months, and shall expire on the June 30 following its submission to the Commission, unless the employing agency has an approved Plan to Develop Fully Qualified Educators which specifies a period of validity longer than twelve months. The Declaration of Need for Fully Qualified Educators shall be submitted to the Commission on a form to be provided by the Commission, and shall include all of the following information:

- (a) Title(s) of Emergency Permit(s) that the Employing Agency Anticipates Will Be Requested. This shall include each subject to be listed on Emergency Single Subject Teaching Permits and the target language on an Emergency Multiple Subject or Single Subject Teaching Permit with a Bilingual Crosscultural Emphasis. The Declaration of Need for Fully Qualified Educators may be revised by the employing agency, as needed.
- (b) Efforts to Recruit Certificated Personnel. This shall include a brief description of efforts that the employing agency has undertaken to locate and recruit individuals who hold the needed credentials, such as dated copies of written announcements of its vacancy or vacancies which were mailed to college or university placement centers.
- (c) Efforts by the Employing Agency to Certify, Assign and Develop Fully Qualified Personnel. The Declaration shall:
 - (1) identify the names of institutions of higher education co-sponsoring internships or other certification programs with the employing agency or, if no such programs exist, briefly explain why; and
 - (2) indicate whether the employing agency has considered developing a "Plan to Develop Fully Qualified Educators" in cooperation with other education agencies in the region pursuant to Section 80026.4, or if not, briefly explain why.
- (d) Stipulation of Insufficiency of Suitable Applicants. The employing agency shall certify that there is an insufficient number of certificated persons who meet the employing agency's specified employment criteria to fill necessary positions.
- (e) Adoption of the Declaration. The Declaration of Need for Fully Qualified Educators shall be adopted by the governing board of a school district, or by the superintendent of a county office of education or the administrator of a state school.
 - (1) A Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as part of a consent calendar.
 - (2) A superintendent of a county office or state school shall publicly announce his or her intent to adopt a Declaration of Need for Fully Qualified Educators at least 72 hours prior to adopting the Statement. The adopted Statement shall be signed by the superintendent.

QUESTIONS

Contact the Commission's Information Services Office at (916) 445-7256 between 12:30 and 4:30 any workday afternoon.

State of California
COMMISSION ON TEACHER CREDENTIALING
Box 944270 (1812 9th Street)
Sacramento, CA 94244-2700
(916) 445-7254

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

FOR SERVICE IN A SCHOOL DISTRICT:

Name of District _____ District CDS Code _____

Name of County _____ County CDS Code _____

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on ____/____/____ certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda and the declaration did NOT appear as part of a consent calendar. Enclosed is a copy of the Board agenda item and an excerpt from the minutes showing that it was approved.

The declaration shall remain in force until June 30, _____. For a declaration to remain in force for longer than one year, the district must have an approved Plan to Develop Fully Qualified Educators on file with the Commission.

Submitted by (Superintendent, Board Secretary, or Designee):

Name _____ Signature _____

Title _____ Date _____

SERVICE FOR A COUNTY OFFICE OF EDUCATION, STATE AGENCY, OR NON-PUBLIC SCHOOL OR AGENCY (NPS/NPA): Complete only the appropriate line.

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's, or school's specified employment criteria for the position(s) listed on the attached form. Enclosed is a copy of the announcement.

The declaration shall remain in force until June 30, _____. For a declaration to remain in force for longer than one year, the county, agency or school must have an approved Plan to Develop Fully Qualified Educators on file with the Commission.

Superintendent or Director:

Name _____ Signature _____

Title _____ Date _____

MAIL TO THE COMMISSION AT THE BOX NUMBER LISTED ABOVE, ADDRESSED:
"HAND CARRY TO JULIE LEE"

CL500 7/94 (PAGE 1 OF 4)

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

This Declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with this employing agency.

I. AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Please indicate the number of emergency permits the employing agency anticipates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This Declaration shall be valid only for the type(s) and subjects(s) identified below, but may be revised by the employing agency, as needed, by submitting a revised form. Board approval is required for a revision.

TYPE	ANTICIPATED NUMBER NEEDED
Multiple Subject	
Single Subject (Indicate the subject(s) you expect to requested on page 3.)	
MS BL/CC (List target language(s) you expect to request on page 3.)	
SS BL/CC (List target language(s) you expect to request on page 3.)	
Special Education: CH LH PH SH VH	<hr/> <hr/> <hr/> <hr/> <hr/>
Clinical Rehabilitative Services LSH SCA	<hr/> <hr/>
Library Media Teacher Services	

II. SUBJECTS ON EMERGENCY SINGLE SUBJECT TEACHING PERMITS

Please identify the subjects of anticipated need with a check mark.

- | | |
|--|--|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Health Science |
| <input type="checkbox"/> Art | <input type="checkbox"/> History |
| <input type="checkbox"/> Business | <input type="checkbox"/> Home Economics |
| <input type="checkbox"/> English | <input type="checkbox"/> Industrial & Technology Ed. |
| <input type="checkbox"/> Foreign Language | <input type="checkbox"/> Life Science |
| <input type="checkbox"/> French | <input type="checkbox"/> Math |
| <input type="checkbox"/> German | <input type="checkbox"/> Music |
| <input type="checkbox"/> Spanish | <input type="checkbox"/> Physical Education |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Physical Science |
| <input type="checkbox"/> Government | <input type="checkbox"/> Social Science |

III. TARGET LANGUAGE(S) ON BILINGUAL EMPHASIS PERMITS

Please list the languages of anticipated need under the appropriate category.

SINGLE SUBJECT	MULTIPLE SUBJECT
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____

IV. PLACEMENT OF STUDENTS IN NON-PUBLIC SCHOOLS AND AGENCIES

School Districts and County Offices of Education must complete this section.

How many students do you anticipate that you will be placing in non-public schools or agencies during this year: _____

Please name the agencies with which you plan to contract for services to your students and indicate whether they employ teachers on emergency permits:

_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	<input type="checkbox"/> YES	<input type="checkbox"/> NO

V. EFFORTS TO RECRUIT CERTIFICATED PERSONNEL

Please list the placement agencies that you have contacted and the most recent date of contact in the chart below. Include a brief description of additional efforts that the employing agency has undertaken to locate and recruit individuals who hold the needed credentials, such as dated copies of written announcements of the vacancy or vacancies which were mailed to college or university placement centers.

AGENCIES CONTACTED

	1	2	3
AGENCY NAME:			
DATE OF CONTACT:			

ADDITIONAL RECRUITMENT METHODS:

VI. EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Have you considered developing a "Plan to Develop Fully Qualified Educators" in cooperation with other education agencies in the region pursuant to Section 80026.4? ☐ Yes ☐ No

If yes, when was it/will it be submitted? If no, please explain why.

Have you established a District Intern program? ☐ Yes ☐ No

If no, why not?

Are you a participant in a Commission-approved college or university internship program? ☐ Yes ☐ No

If yes, list each college or university with which you participate in an internship program. If no, explain why you do not participate
